

**CITY/COUNTY ASSOCIATION OF GOVERNMENTS
LEGISLATIVE COMMITTEE**

**MINUTES
MEETING OF JUNE 7, 2003**

At 8:04 a.m. Chairman Lee Panza in Conference Room C of San Mateo City Hall, called the meeting to order.

Members Attending: Deborah Gordon, Marc Hershman, Sue Lempert, Irene O'Connell, Lee Panza, Joe Silva, Marland Townsend, Mike King (C/CAG Chairman), and Deborah Wilder (C/CAG Vice Chair).

Staff/Guests Attending: Walter Martone (C/CAG Staff - County Public Works), Richard Napier (C/CAG Executive Director), Brian Moura (City of San Carlos), Mary McMillan (San Mateo County Legislative Director).

1. Public comment on items not on the agenda.

None

REGULAR AGENDA

2. Minutes and summary of the meeting of May 17, 2003.

Corrections to the minutes were made as follows:

- Marland Townsend was noted as present.
- Mike King and Deborah Wilder were noted as absent.
- It was noted that the "no" vote on the revised position for SCA 2 was Sue Lempert. In the future the minutes will identify the members voting "no" on a motion.

Motion: To approve the minutes as corrected. Townsend/Hershman, unanimous.

3. Update from C/CAG Lobbyist in Sacramento (via conference call).

Wes Lujan provided a briefing on the latest news from Sacramento.

- Budget update.
 - The proposed budget includes floating an \$11 billion loan.
 - This will only buy one year of relief.
 - The structural deficit of \$8 billion will not be addressed.
 - The projection is that the economy recovery will not be robust enough to resolve the structural deficit.
 - The loan will be adding to the problem by increasing debt payments.
 - The target date for budget adoption is June 15th.
 - AB 1690 has been proposed to allow local jurisdictions to levy an income tax to support public safety.
 - The recall effort has collected an estimated 460,000 signatures and is causing a great deal of concern in the Administration.

- Organized Labor is mounting a campaign to oppose the recall.
- AB 1221 to restructure local government finance is now a 2-year bill.
- SB 744 to restrict local land use control is now a 2-year bill; however the League of Cities and others are still requesting that local jurisdictions register opposition to the bill.
- SB 163 to restrict local government contracting is now a 2-year bill; however there is rumor that it may be incorporated into another bill currently working its way through the Legislature.
- AB 1546 to authorize C/CAG to increase the vehicle registration fee has passed the Assembly with 41 votes. This was a very tight margin. Advocation will be looking into whether including this bill in a budget trailer bill may be an option to increase its likelihood of passage.
- The League of Cities is considering proposing a ballot initiative to protect local revenues. They are very concerned about alienating any groups who might be helpful in this effort.
- AB 1426 by Steinberg to require affordable housing in the Sacramento region is still moving through the Legislature.
- ACA 10 to exempt parcel tax increases for the NPDES Program from the two-thirds vote requirement will hopefully be taken up later this month. In committee it got one Republican vote and three Republicans abstained. It needs six Republican votes to pass. Constitutional amendments are not subject to the time limits that apply to other legislation; therefore this bill is still active.
- AB 1221 to restructure local government finance is a 2-year bill; however there is speculation that it could wind up as part of the budget package. The League of Cities is continuing to actively fight this bill. C/CAG, through Advocation, needs to be active in this battle and be present during the negotiations on local government fiscal reform.
- SB 100 to increase the public safety retirement cap from 90% to 100% is a 2-year bill; however it continues to be a high priority for local governments. Local governments are having extreme difficulty affording the 90% retirement funding; raising the limit to 100% could bankrupt some governments.
- SB 163 will force local jurisdictions to retain more permanent staff instead of contracting out. This bill was intended to protect janitors from losing jobs.
- AB 1326 will authorize San Mateo County to operate a pilot project for childcare services. The County will be able to use local discretion in order to maximize the use of funding that is currently allocated by the State for the County's programs. Under the current State rules the County has had to return from \$1.5 to \$3 million of State funds annually. The goal of this bill is to be able to effectively use the money that is already allocated; it does not request additional funds. It was suggested that the County contact each city individually and request support for this bill, and to also present the bill directly to the C/CAG Board for consideration.

Motion: To recommend an "oppose" position to the C/CAG Board of Directors on SB 100 and SB 163. Townsend/O'Connell, unanimous.

4. Consideration of positions on various bills –

- **AB 93 to authorize a bond to support safe, clean, and reliable water supply.**
 - Given the fact that the State is already in serious financial trouble, it was decided to continue to watch this bill and not take a position at this time.
- **AB 218 to allow senior congregate housing to count toward the regional fair share of**

housing.

*Motion: To recommend a “support” position to the C/CAG Board of Directors.
Townsend/O’Connell, unanimous.*

- **AB 453 to change the rules relating to public works contracts.**

*Motion: To recommend an “oppose” position to the C/CAG Board of Directors.
Townsend/O’Connell, motion passed with 8 ayes and 1 no (Panza)*

- **AB 478 to increase the value of vehicles that can be abated.**

*Motion: To recommend a “support” position to the C/CAG Board of Directors.
Lempert/Townsend, unanimous.*

- **AB 531 to authorize a \$10 billion infrastructure bond for local improvements.**

*Motion: To recommend a “support” position to the C/CAG Board of Directors.
Hershman/Townsend, unanimous.*

- **AB 637 to ensure local government representation on the Commission on State Mandates.**

*Motion: To recommend a “support” position to the C/CAG Board of Directors.
O’Connell/Townsend, unanimous.*

- **AB 694 to extend the sales tax to vehicles, vessels, and aircraft purchased out of California for use in California by California residents.**

*Motion: To recommend a “support” position to the C/CAG Board of Directors.
Lempert/O’Connell, unanimous.*

- **AB 1158 to make changes to the regional housing needs assessment requirements.**
 - This bill will potentially be used as a vehicle to add in requirements that are not desirable. After discussion it was decided to continue to watch this bill.

- **AB 1358 to allow redevelopment agencies to fund and receive credit for housing projects that are up to 5 miles outside the redevelopment area boundary.**
 - Concern was expressed that this bill would allow jurisdictions that do not want affordable housing to buy their way out of this requirement.

*Motion: To recommend a “support” position to the C/CAG Board of Directors.
Townsend/King, motion passed with 5 ayes, 3 nos (Lempert/O’Connell/Wilder), and 1 abstention (Gordon).*

- **AB 1544 to allow for local special elections to be done wholly by mail in ballots.**

Motion: To recommend a “support” position to the C/CAG Board of Directors.

O'Connell/King, unanimous.

[Irene O'Connell left the meeting]

- **AB 1690 to allow a local income tax to finance public safety.**
 - Concern was expressed that the voting requirement to pass specific funding measures is becoming different depending on the service/project to be funded. The voting requirements should be made consistent.
 - Concern was expressed that there may be new funding requirements for fire fighting and safety and that this bill may become a vehicle to finance it.
 - After discussion it was decided to continue to watch this bill and ask for input from local fire fighting officials.

- **ACA 5 to place a cap on ERAF.**

Motion: To recommend a “support” position to the C/CAG Board of Directors. King/Townsend, unanimous.

- **ACA 9 to allow the imposition of a special tax to fund local infrastructure with only a simple majority vote.**
 - Concern was expressed that reducing the voting requirement to a simple majority will not be sufficient to get this measure passed by the voters. It would be preferable to require a 55% majority. This is consistent with prior action of the voters for school financing.

Motion: To recommend a “support in concept (lowering the voting threshold)” position to the C/CAG Board of Directors. King/Townsend, unanimous.

- **SB 17 to increase the reporting requirements for changes in ownership of commercial property and increase the penalties for failure or late reporting.**
 - Given that this bill was amended from its original intent to create a “split role” for commercial property taxation, it was decided to continue to watch this bill to see if it is further amended.
- **SB 100 to increase the safety maximum PERS benefit from 90% to 100%.**
 - Motion was approved earlier to “oppose” this bill.
- **SB 163 to restrict the use of service contracts.**
 - Motion was approved earlier to “oppose” this bill.
- **SB 214 to create a definition of “maximum extent practicable” for the NPDES Program.**
 - It was decided to ask the NPDES Coordinator for a recommendation on this bill.
- **SB 541 to index the tax on motor vehicle fuels to inflation.**
 - It was requested that Senator Torlakson’s Office be asked what the storage tax provision of the bill is relating to.

***Motion: To recommend a “support” position to the C/CAG Board of Directors.
Townsend/Hershman, unanimous.***

- **SB 619 to restrict a local jurisdiction’s ability to deny or place limitations on multifamily residential developments.**

***Motion: To recommend an “oppose” position to the C/CAG Board of Directors.
Townsend/Lempert, unanimous.***

- **SB 983 to make nonsubstantive changes to the requirements for countywide siting elements.**
 - Staff was requested to ask Senator Sher’s Office why the Senator is supporting this bill and what impact it might have on San Mateo County jurisdictions.
- **SCA 7 to require the repayment with interest of loans to the State General Fund from resources dedicated to transportation.**

***Motion: To recommend a “support” position to the C/CAG Board of Directors.
Townsend/Lempert, unanimous.***

5. Reschedule the July 5th meeting.

The meeting in July falls on July 4th weekend; therefore the Committee agreed to reschedule it for July 12th. The Committee will decide at the July 12th meeting whether to change the August meeting to August 9th instead of August 2nd.

6. Adjournment.

At 10:06 a.m. the meeting was adjourned.